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January 19, 2016

BY ECF

Honorable James L. Cott
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Anthony Torres v. Warden Hills, et al.,
14 Civ. 7732 (AT) (JLC)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department, and am assigned to represent defendants Warden Hills, Captain Singletary, Correction Officer (“C.O.”) La, C.O. Green, C.O. Holland, C.O. Barnett, C.O. Phillips, C.O. Feliciano, Captain Chmut (s/h/a “Captain Chubot”), C.O. Moss, C.O. Galan, and C.O. Arias (hereinafter referred to collectively as “Defendants”) in the above-referenced matter. In accordance with this Court’s Order dated January 11, 2016, I write to respectfully respond to plaintiff’s letter dated January 7, 2016, regarding the settlement payment.

By way of background, plaintiff *pro se* brought this § 1983 action alleging, *inter alia*, that he was assaulted by various correction officers on July 23, 2012, while he was an inmate at the Robert N. Davoren Complex on Rikers Island. See generally, Amended Complaint. On or about October 2, 2015, the parties agreed to settle this matter. See Civil Docket Report, at Document No. 42. By letter dated January 7, 2016, which was filed on the Civil Docket on January 11, 2016, plaintiff indicated, in sum and substance, that he has not received the settlement payment. See id., at Document No. 45. On or about January 11, 2016, this Court ordered Defendants to respond to plaintiff’s letter and indicate by which date plaintiff should expect payment. See id., at Document No. 46.

The undersigned has investigated the claims made by plaintiff in his January 7, 2016 letter. Upon information and belief, payment in the form of a check was generated and mailed to plaintiff via first class mail on or about January 5, 2016. Upon information and belief,

the check was cashed by plaintiff on or about January 7, 2016. Accordingly, Defendants respectfully submit that no further action is required in this matter.

Thank you for your consideration herein.

Respectfully submitted,

/s/

Richard Bahrenburg
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Anthony M. Torres (05A6292)
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